HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Revision No. 86 of 2003

Atma Ram Ganeriwal & others ..... Petitioner

Versus

M/S Govind Bhawan Karyalaya, Calcutta .....Respondent

Sri Alok singh, Sr. Advocate for the revisionists.

Dated: July 22, 2004

Hon. Rajesh Tandon J.

Heard Sri Alok Singh, Sr. Advocate for the revisionist.

The present revision has been filed challenging the order dated 20.11.2003 by which application under Order 7 Rule 11 has been rejected by the Civil Judge, Pauri Garhwal.

The order has been passed at an intermediate stage and written statement has not been filed as yet and, therefore, no interference against the order rejecting the application under Order 7 Rule 11 C.P.C. is warranted at this stage under section 25 of the Provincial Small Cause Courts Act.

The revisionist is at liberty to take such plea while filing the written statement and the same may be considered while framing the points for determination in the suit itself.

In view of the aforesaid facts Sri Alok Singh Sr. Advocate prays for and is granted permission to withdraw the revision at this stage.

The revision is, therefore, dismissed as withdrawn.

(Rajesh Tandon J.)

22.7.2004
Dhyani